

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

9/8/20

Name: Dail Robert Cantrell

Office Address: P. O. Box 299, Clinton, TN 37717/362 South Charles G. Seivers Blvd,
Clinton, TN 37716, Anderson County, TN
(including county)

Office Phone: (865) 457-9100 Facsimile: (865) 463-7881

Email Address: dcantrell@cantrell-law.com

Home Address: [REDACTED] Norris, TN 37828, Anderson County, TN
(including county)

Home Phone: [REDACTED] Cellular Phone: [REDACTED]

INTRODUCTION

Tennessee Code Annotated section 17-4-301 et seq. charges the Trial Court Vacancy Commission with assisting the Governor and the People of Tennessee in finding and appointing the best qualified candidates for judicial offices in this State. Please consider the Commission's responsibility in answering the questions in this application questionnaire. For example, when a question asks you to "describe" certain things, please provide a description that contains relevant information about the subject of the question and, especially, that contains detailed information that demonstrates that you are qualified for the judicial office you seek. In order to properly evaluate your application, the Commission needs information about the range of your experience, the depth and breadth of your legal knowledge, and your personal traits such as integrity, fairness, and work habits.

This document is available in Microsoft Word format from the Administrative Office of the Courts (telephone 800.448.7970 or 615.741.2687; website www.tncourts.gov). The Commission requests that applicants obtain the Microsoft Word form and respond directly on the form. Respond in the box provided below each question. (The box will expand as you type in the document.) **Review the separate instruction sheet prior to completing this document. Submit by the noon deadline date an original (unbound) completed application (with ink signature) to the Administrative Office of the Courts.** In addition, submit a digital copy with electronic or scanned signature via email to cesha.lofton@tncourts.gov, or via another digital storage device such as a flash drive. See section 1(g) of the application instructions for additional information related to hand-delivery of application packages.

THIS APPLICATION IS OPEN TO PUBLIC INSPECTION AFTER YOU SUBMIT IT.

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

I am the managing partner of *The Cantrell Law Firm*.

2. State the year you were licensed to practice law in Tennessee and give your Tennessee Board of Professional Responsibility number.

1991, BPR No. 014780

3. List all states in which you have been licensed to practice law and include your bar number or identifying number for each state of admission. Indicate the date of licensure and whether the license is currently active. If not active, explain.

Tennessee, BPR 014780, October 25, 1991, my license is currently active

4. Have you ever been denied admission to, suspended or placed on inactive status by the Bar of any State? If so, explain. (This applies even if the denial was temporary).

No

5. List your professional or business employment/experience since the completion of your legal education. Also include here a description of any occupation, business, or profession other than the practice of law in which you have ever been engaged (excluding military service, which is covered by a separate question).

Legal Experience

Hodges, Doughty & Carson-1990-1991-Law Clerk

Ridenour & Ridenour-1991-1994-Associate Attorney

Cantrell, Pratt & Varsalona-1994-2002-Managing Partner

Dail R. Cantrell & Associates-2002-2006-Managing Partner
Cantrell, Cantrell & Fisher-2006-2011-Managing Partner
Cantrell, Cantrell & Associates-2011-2014-Managing Partner
Cantrell, Goodge & Associates-2014-2018-Managing Partner
The Cantrell Law Firm-2018-Present-Managing Partner

Judicial Experience

Administrative Law Judge for the State of Tennessee-1996-1999
Referee for Anderson County Trial Justice Court/General Sessions Court-1995-1999
Referee for Anderson County Juvenile Court-1995-1999

Professor of Law

University of Tennessee College of Law-1994-2004
-Trial Advocacy
-Trial Practice
-Evidence
Roane State Community College-1996-1998
-Civil Procedure
American University Washington D. C.-Visiting Professor-2000
-Trial Advocacy
ATLA Risk Management for Healthcare Liability Actions

Coaching

State of Tennessee High School Volleyball/Basketball/Track Coach-1983-Present

Business Employment

Buyer's Choice Title Company-Owner

Elected Official

Anderson County Board of Education-2004 to present

6. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

I am primarily a civil litigator and have handled cases in the majority of Tennessee State Courts. I have been lead counsel in several hundred jury trials. My practice involves all areas of civil litigation including, but not limited to, healthcare liability; personal injury; workman's compensation; breach of contract; domestic relations; property disputes; construction litigation; contested conservatorships; and contested probate matters. Additionally, I do some criminal defense work limited to State Criminal Court. I have also handled a limited amount of Federal cases and have argued between fifty and one hundred cases before the Tennessee Court of Appeals and the Tennessee Supreme Court.

7. Describe generally your experience (over your entire time as a licensed attorney) in trial courts, appellate courts, administrative bodies, legislative or regulatory bodies, other forums, and/or transactional matters.

I have practiced almost exclusively in Tennessee State Circuit and Chancery Courts over my thirty year legal career. I have been lead counsel in hundreds of jury trials and in thousands of bench trials. I have also been lead counsel in approximately fifty to one hundred actions before the Tennessee Court of Appeals and the Tennessee Supreme Court. As an Administrative Law Judge I presided over cases involving the IDEA, and as a Referee for both the General Sessions Court and the Juvenile Court, I presided over both civil and criminal cases.

8. Describe any matters of special note involving your practice in trial courts, appellate courts, and administrative bodies.

I am frequently retained by other law firms to try lawsuits that actually make it to a jury. I have obtained million dollar verdicts in multiple courts in the State of Tennessee. The majority of my practice involves complex cases that often involve multiple parties. One of my primary strengths as a civil litigator is the fact that I have tried all manner of civil cases, and that I have handled criminal jury trials in multiple jurisdictions. Several of the Appellate cases that I have handled

resulted in published Opinions, and in an expansion of the law in certain areas.

9. Describe any other legal experience, not stated above, that you would like to bring to the attention of the Commission.

I have had numerous legal articles published, including a text book that was used throughout the United States. I was also the subject of a documentary on *Court TV*. I am constantly interested in improving access to the courts and frequently lecture on ways to improve the litigation process which is somewhat antiquated in a generation that receives unlimited amounts of information digitally. Tennessee Courts have historically been unable to keep up with the ever-changing demographic of the jury pool, and are often resistant to change. I have spent the majority of my legal career coming up with new and innovative ways to simplify the litigation process.

10. List and describe all prior occasions on which you have submitted an application for any state or federal judicial position.

I applied for an open seat on the Tennessee Court of Appeals. I was also considered for a United States Federal District Court position.

EDUCATION

11. List each college, law school, and other graduate school which you have attended, including dates of attendance, degree awarded, major, any form of recognition or other aspects of your education you believe are relevant, and your reason for leaving each school if no degree was awarded.

I attended the University of Tennessee from 1983 until 1991. I received a Bachelor of Arts Degree with majors in English, American Studies and Political Science, and minors in Chemistry and Physical Education. I took graduate classes in English prior to attending law school where I ultimately obtained my Doctorate of Jurisprudence in 1991. I did Post Doctoral work at Lincoln Memorial University working towards a Master of Science Degree in Education; however, I did not obtain a degree. After I completed my course work I was required to complete one semester of student teaching at the high school level in order to obtain the degree. Given that I had no desire to teach, I ended the program prior to receiving a degree. I also did Post Doctoral work in Theology at the Johnson Bible College; however, I did not obtain a degree. Prior to becoming an attorney, I worked for Campus Crusade, a non-denominational Christian organization associated with the Billy Graham Foundation. I was considering going into the ministry; however, when I realized that I was not called to the Ministry, I chose not to continue my Seminary training and ended the program prior to receiving a degree.

PERSONAL INFORMATION

12. State your date of birth.

<div style="background-color: black; width: 80px; height: 20px; display: inline-block;"></div> 1965

13. How long have you lived continuously in the State of Tennessee?

Since birth

14. How long have you lived continuously in the county where you are now living?

Since birth

15. State the county in which you are registered to vote.

Anderson County

16. Describe your military service, if applicable, including branch of service, dates of active duty, rank at separation, and decorations, honors, or achievements. Please also state whether you received an honorable discharge and, if not, describe why not.

Not applicable

17. Have you ever pled guilty or been convicted or are now on diversion for violation of any law, regulation or ordinance other than minor traffic offenses? If so, state the approximate date, charge and disposition of the case.

No

18. To your knowledge, are you now under federal, state or local investigation for possible violation of a criminal statute or disciplinary rule? If so, give details.

No

19. Please identify the number of formal complaints you have responded to that were filed

against you with any supervisory authority, including but not limited to a court, a board of professional responsibility, or a board of judicial conduct, alleging any breach of ethics or unprofessional conduct by you. Please provide any relevant details on any such complaint if the complaint was not dismissed by the court or board receiving the complaint. You may wish to request a report from the appropriate supervisory authority (or authorities) for a complete history.

I do not know the exact number of complaints that have been made against me to the Board of Professional Responsibility. I am aware that during my legal career of thirty years, some have been made, and I have self-reported to the Board; however, in every circumstance all complaints were dismissed without a file being opened, and without any disciplinary action being taken by the Board.

20. Has a tax lien or other collection procedure been instituted against you by federal, state, or local authorities or creditors within the last five (5) years? If so, give details.

No

21. Have you ever filed bankruptcy (including personally or as part of any partnership, LLC, corporation, or other business organization)?

No

22. Have you ever been a party in any legal proceedings (including divorces, domestic proceedings, and other types of proceedings)? If so, give details including the date, court and docket number and disposition. Provide a brief description of the case. This question does not seek, and you may exclude from your response, any matter where you were involved only as a nominal party, such as if you were the trustee under a deed of trust in a foreclosure proceeding.

I am currently involved in an amicable, non-contested, irreconcilable differences divorce that is on file, under seal, in Roane County, Tennessee. Additionally, I have been involved in multiple civil actions in either the Anderson County or Knox County General Sessions or Circuit Courts over the years, none of which resulted in any court appearances. I do not recall any specific details or docket numbers at this time, other than two of the actions were related to partnership dissolutions.

23. List all organizations other than professional associations to which you have belonged within the last five (5) years, including civic, charitable, religious, educational, social and fraternal organizations. Give the titles and dates of any offices which you have held in

such organizations.

I am a member of the Second Baptist Church of Clinton; I am the Chairman of the Constitution Committee; and I teach a Small Group of my peers.

I am a member of the Anderson County Chamber of Commerce.

I am a member of the Head Start Board of Directors.

I served on the Parent Advisory Committee at East Tennessee Children's Hospital advocating for parents with children with disabilities.

I served on the Board of Directors for the Museum of Appalachia.

24. Have you ever belonged to any organization, association, club or society which limits its membership to those of any particular race, religion, or gender? Do not include in your answer those organizations specifically formed for a religious purpose, such as churches or synagogues.
- If so, list such organizations and describe the basis of the membership limitation.
 - If it is not your intention to resign from such organization(s) and withdraw from any participation in their activities should you be nominated and selected for the position for which you are applying, state your reasons.

No

ACHIEVEMENTS

25. List all bar associations and professional societies of which you have been a member within the last ten years, including dates. Give the titles and dates of any offices which you have held in such groups. List memberships and responsibilities on any committee of professional associations which you consider significant.

I am a member of the Anderson County and Knox County Bar Associations and have been for more than ten years.

I am a member of the Tennessee Bar Association and the American Bar Association and have been for more than ten years.

I am currently a member of the Workman's Compensation Advisory Council to the Governor, and I am a former member of the American Inns of Court.

26. List honors, prizes, awards or other forms of recognition which you have received since your graduation from law school which are directly related to professional accomplishments.

I am a member of the Million Dollar Advocates Forum, which is limited to attorneys who have obtained multi-million dollar jury verdicts.

I am a recipient of the Ray H. Jenkins Award for Excellence in Trial Advocacy.

I received the McClung Medal for Excellence in Trial Advocacy.

I was the founder of the Anderson County High School Mock Trial Association coaching high school students whereby our teams won five State Championships and finished second Nationally out of 14,000 teams.

I have had multiple legal articles published, including the Law on Opening Statements in Tennessee by the American Trial Lawyers Association.

I was selected as the first coach from Anderson County to the Boys & Girls Club Coaching Hall of Fame.

27. List any public office you have held or for which you have been candidate or applicant. Include the date, the position, and whether the position was elective or appointive.

I was elected to the Anderson County Board of Education in 2004 and have been re-elected four times. I was appointed by the Governor to be an Administrative Law Judge and I was appointed by the Honorable Jennings Meredith to be a Special Referee in the Anderson County General Sessions Court and in the Anderson County Juvenile Court.

ESSAYS/PERSONAL STATEMENTS

28. What are your reasons for seeking this position? *(150 words or less)*

I have practiced law in the State of Tennessee for thirty years. During that time my work has been exclusively inside the courtroom. I have served the State of Tennessee as an Administrative Law Judge, and have served the citizens of Anderson County as a Special Referee hearing criminal, civil and juvenile matters. As a Professor at the University of Tennessee College of Law, I helped train a generation of civil litigators, and have dedicated my entire professional life to improving the legal system. I believe that I am at the point in my career where I can have the greatest impact by becoming a Trial Judge. We are at a crossroads in our State whereby there needs to be several changes made to how we litigate, and we need a Judiciary that is unafraid to enforce the laws promulgated by the General Assembly and by the Governor.

29. Describe the judgeship you seek (i.e. geographic area, types of cases, number of judges, etc. and explain how your selection would impact the court. *(150 words or less)*)

I am seeking a Judicial Appointment to the Anderson County Circuit Court position. This Judgeship is the sole civil and criminal State Court position for the entire Seventh Judicial District, which is comprised of Anderson County. This is a tremendous work load for one Judge, and I feel that in our county, I have the greatest amount of litigation experience, and I feel that I am the only litigator in the county who also has Judicial experience. I feel that my combination of courtroom appearances, combined with my previous Judicial experience and my real-life experience in mentoring many young lawyers, makes me specifically qualified for this position. I am not afraid of hard work. I built the law firm which I currently manage from the ground up. I come from a family of farmers and teachers. My father was a machinist, and my mother worked at a church. We grew our own food, and I worked to put myself through college and grad school. I believe that this position takes someone with a strong work ethic, and someone who understands the day to day struggles that people suffer in the real world, and someone who can fairly administer justice.

30. Will you uphold the law even if you disagree with the substance of the law (e.g., statute or rule) at issue? Give an example from your experience as a licensed attorney that supports your response to this question. *(250 words or less)*

I believe it is essential for a Trial Judge to uphold the law, regardless of his personal beliefs. The social contract that exists between government and its people only works if the citizenry have confidence that the laws enacted by their General Assembly, as approved by their Governor, are going to be enforced by the Judiciary. The system does not work if one branch of Government attempts to set itself above the other two.

As the father of a special needs son who is afflicted with cerebral palsy and developmental delays, I am extremely active in the special needs community. I also am a strong supporter of vocational education and believe that over the last several years public education has focused too much attention on forcing its students down a college track as opposed to a vocational tract. Personally, I have represented multiple Boards of Education throughout the State of Tennessee, and currently serve on the School Board for Anderson County. As the father of a special needs son, and as a strong supporter of developing real world vocational programs, there have been times where I have had to enforce the federal requirements of the IDEA, and federally mandated testing, even though I have a genuine heart-felt sympathy for the children and their parents who are affected by these rules and regulations. As an Officer of the Court, it is my job to ensure that everyone receives fair and equal treatment under the law.

REFERENCES

31. List five (5) persons, and their current positions and contact information, who would recommend you for the judicial position for which you are applying. Please list at least two persons who are not lawyers. Please note that the Commission or someone on its

behalf may contact these persons regarding your application.

A. Dr. Curtis Sexton, [REDACTED]
B. Dr. Chris Whaley, President of Roane State Community College; [REDACTED]
C. Dr. Tim Parrott, Director of the Anderson County Board of Education, [REDACTED]
D. George H. Buxton, III, Attorney at Law, [REDACTED]
E. Elaine Meyer, Director of Museum of Appalachia, [REDACTED]

AFFIRMATION CONCERNING APPLICATION

Read, and if you agree to the provisions, sign the following:

I have read the foregoing questions and have answered them in good faith and as completely as my records and recollections permit. I hereby agree to be considered for nomination to the Governor for the office of Judge of the [Court] Anderson County Circuit Court, Seventh Judicial District, of Tennessee, and if appointed by the Governor, agree to serve that office. In the event any changes occur between the time this application is filed and the public hearing, I hereby agree to file an amended questionnaire with the Administrative Office of the Courts for distribution to the Commission members.

I understand that the information provided in this questionnaire shall be open to public inspection upon filing with the Administrative Office of the Courts and that the Commission may publicize the names of persons who apply for nomination and the names of those persons the Commission nominates to the Governor for the judicial vacancy in question.

Dated: May 28, 2021.



Signature

When completed, return this questionnaire to Cassin Lofton, Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, TN 37219



TENNESSEE TRIAL COURT VACANCY COMMISSION
ADMINISTRATIVE OFFICE OF THE COURTS
511 UNION STREET, SUITE 600

NASHVILLE CITY CENTER
NASHVILLE, TN 37219

**TENNESSEE BOARD OF PROFESSIONAL RESPONSIBILITY
TENNESSEE BOARD OF JUDICIAL CONDUCT
AND OTHER LICENSING BOARDS**

WAIVER OF CONFIDENTIALITY

I hereby waive the privilege of confidentiality with respect to any information that concerns me, including public discipline, private discipline, deferred discipline agreements, diversions, dismissed complaints and any complaints erased by law, and is known to, recorded with, on file with the Board of Professional Responsibility of the Supreme Court of Tennessee, the Tennessee Board of Judicial Conduct (previously known as the Court of the Judiciary) and any other licensing board, whether within or outside the State of Tennessee, from which I have been issued a license that is currently active, inactive or other status. I hereby authorize a representative of the Trial Court Vacancy Commission to request and receive any such information and distribute it to the membership of the Commission and to the Office of the Governor.

Dail R. Cantrell

Type or Print Name

Dail R Cantrell

Signature

5-28-2021

Date

014780

BPR #

Please identify other licensing boards that have issued you a license, including the state issuing the license and the license number.
